

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.78484 of 2018**

Arising Out of PS. Case No.-140 Year-2013 Thana- GOH District- Aurangabad

Abhay Yadav @ Ajay Yadav @ Govind Yadav S/o Kuldeep Yadav, R/o village  
Banmanjhauli, P.S. Dhibra, District- Aurangabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate  
For the Opposite Party/s : Mr. Manish Kumar 2, APP

**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

2      28-01-2019                      Heard learned counsel for the petitioner and the  
learned counsel appearing on behalf of the State.

The petitioner is in custody since 19.12.2017 in connection with Goh P.S. Case No.140 of 2013 registered for the offence under Sections 147 to 149, 307, 302, 320, 326, 353, 379, 380, 396, 427, 435 and 120B of the Indian Penal Code.

Learned counsel for the petitioner submits that the FIR was lodged against around 250-300 unknown persons who are alleged to have attacked the base camp and had damaged four vehicles and had indulged in indiscriminating firing.

Learned counsel for the petitioner submits that though not named in the FIR, subsequently, in the confessional statement made before the police by one Sanjay Yadav and



Sridhar Pathak, the name of the petitioner surfaced. It is further submitted that the T.I. Parade has not been held and the confessional statement made before the police also has no evidentiary value in the eyes of law. It is also informed that similarly situated co-accused persons have since been extended the privilege of regular bail by this hon'ble Court in Cr.Misc. No. 5085 of 2018 vide order dated 19.02.2018, Cr.Misc. No.28122 of 2018 vide order dated 16.07.2018, Cr.Misc. No.27666 vide order dated 03.08.2015 and Cr.Misc. No.41322 of 2014 vide order dated 02.03.2015.

Considering the aforementioned facts and circumstances, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Daudnagar at Aurangabad, in connection with Goh P.S. Case No.140 of 2013, subject to the following conditions:

(1) One of the bailors should be his blood relative, preferably, father, mother, brother and Sister of the petitioner.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of



the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

**(Anjana Mishra, J)**

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